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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

ASSURANCE WIRELESS USA, L.P.;  
METROPCS CALIFORNIA, LLC; SPRINT  
SPECTRUM LLC; T-MOBILE USA, INC.; and  
T-MOBILE WEST LLC,

Plaintiffs,

v.

ALICE B. REYNOLDS, President of the  
California Public Utilities Commission, in her  
official capacity, et al.,

Defendants.

Case No. 3:23-cv-00483-LB

**PLAINTIFFS' MOTION TO SHORTEN  
TIME**

Courtroom: Courtroom B, 15th Floor  
Judge: Hon. Laurel Beeler

Complaint Filed: February 1, 2023

Plaintiffs Assurance Wireless USA, L.P., MetroPCS California, LLC, Sprint Spectrum LLC, T-Mobile USA, Inc., and T-Mobile West LLC (collectively, “Plaintiffs”), by and through undersigned counsel, hereby respectfully move pursuant to Civil L.R. 6-3(a)(4) for an order shortening the time for the Court to hear and for Defendants—the President and Commissioners of the California Public Utilities Commission (the “CPUC” or “Defendants”), sued in their official capacities—to respond to Plaintiffs’ emergency motion for stay pending appeal (the “Stay Motion”), which Plaintiffs are filing concurrently with this motion to shorten time (the “Motion to Shorten Time”). In accordance with Civil L.R. 6-3(a)(4), Plaintiffs’ Motion to Shorten Time is supported by the concurrently filed Declaration of Peter Karanjia (“Karanjia Decl.”), who serves as counsel for Plaintiffs, and a proposed order. Plaintiffs have conferred with Defendants, who do not oppose the proposed briefing schedule if it comports with the Court’s availability. *See* Karanjia Decl. ¶ 4.

Plaintiffs respectfully request that the Court shorten the briefing and hearing time for their Stay Motion by: (a) ordering Defendants to submit any response to the Stay Motion by noon on **April 6, 2023**, and (b) ordering Plaintiffs to submit any response to the Stay Motion by noon on **April 7, 2023**; and (c) deciding the Stay Motion on submission by **April 7, 2023** or sooner, if practicable.

Good cause exists to shorten time. As detailed in the Stay Motion and Plaintiffs’ underlying submissions in support of their preliminary injunction motion, the CPUC’s Decision directs Plaintiffs to start implementing the new CPUC rule (the “Connections-Based Rule”) on April 1, 2023. Absent a stay, the Connections-Based Rule will subject Plaintiffs to millions of dollars of unrecoverable losses each month while the rule is in effect, cause Plaintiffs to lose business and undermine their competitive position, and harm Plaintiffs’ brands and customer goodwill—to say nothing of the severe impacts on Plaintiffs’ low-income subscribers. By contrast, the CPUC will not be prejudiced if the Connections-Based Rule is put on hold temporarily while Plaintiffs’ appeal proceeds before the Ninth Circuit (or, alternatively, while the Ninth Circuit decides whether to impose its own stay). Further, staying the Connections-Based Rule is in the public interest, as confirmed by comments filed by consumer groups at the CPUC and the *amicus* brief filed by civil rights organizations. In these circumstances, expedited briefing and adjudication of Plaintiffs’ Stay

1 Motion will prevent irreparable harm and ensure that Plaintiffs can obtain meaningful and timely  
2 appellate review and relief.

3 Shortening Defendants' time to respond to the motion will not impose any prejudice on the  
4 CPUC, which has been on notice of Plaintiffs' intent to stay enforcement of the Connections-Based  
5 Rule since before the filing of Plaintiffs' preliminary injunction motion on February 1, 2023.

6 For the foregoing reasons, Plaintiffs respectfully request that the Court shorten time for  
7 briefing and hearing the Stay motion.

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9 Dated: April 3, 2023

Respectfully submitted,

10 DLA PIPER LLP (US)

11 By: /s/ Peter Karanjia

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